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July 31, 2023

Document Electronically Filed

Hon. Valerie Figueredo
United States Magistrate Judge
United States District Court for the
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Application Granted

Valerie Figueredo, U.S.M.J.

DATED: August 3, 2023

The Clerk of Court is directed to
terminate the motion at ECF No. 12.

Re: Valentin v. Commissioner of Social Security
Docket No: 1:23-cv-02386-VF

Hon. Judge Figueredo:

This letter respectfully requests an extension of time of twenty-one (21) days for Plaintiff to file Plaintiff's Brief in this matter, to August 28, 2023. Plaintiff's Brief is currently due on August 7, 2023; however, Plaintiff cannot complete the Brief on time.

Counsel requests this extension due to multiple, simultaneous filing deadlines. Counsel requires additional time to properly and thoroughly prepare Plaintiff's brief. For instance, between July 31, and August 25, 2023, staff in Counsel's office have seventy-one (71) Plaintiff briefs due. This figure does not include Oral Arguments, appeals to Circuit Courts, Reply Briefs, settlement negotiations, and the various other tasks which arise throughout the course of litigation. These circumstances do not allow for Plaintiff's Counsel to properly prepare the brief by the current deadline. Counsel's office has hired an additional attorney to combat these deadlines and keep delay to a minimum, who will start working for the firm in mid-August. This new attorney will allow Counsel to reschedule various tasks, and will allow for this brief to be rescheduled and completed before the end of August.

Plaintiff's counsel has contacted defense counsel who kindly has no objection to this request. This request will not cause Defendant any undue hardship. The parties have agreed on the below briefing schedule. This would be a second request for an extension of time in this matter. Counsel understands that, generally, one extension of time shall be granted absent extraordinary cause. However, Counsel asserts that good cause has been shown and the scheduling order should be amended.

If Plaintiff's request is granted, the new briefing schedule would be:

- **Plaintiff's Brief is due on or before August 28, 2023;**
- **Defendant's Brief is due on or before October 27, 2023; and**
- **Plaintiff's Reply Brief, if any, is due on or before November 10, 2023.**



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Thank you for your consideration.

Respectfully submitted,

/s/ Howard D. Olinsky

Howard D. Olinsky, Esq.
Counsel for Plaintiff

CC [via ECF]: Sathya Oum, Esq., Counsel for Defendant

SO ORDERED.

Dated: _____

U.S. Magistrate Judge